



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Ray Soon Waldin Jr. and Carey Nachenberg

Application No.: 10/682,644

Filing Date: October 8, 2003

Title: Multi-Tiered Incremental Software  
Updating

Confirmation No.: 8264

Group Art Unit: 2132

Examiner: Gilberto Barron Jr.

Attorney Docket No.: 44420423-8297

**INFORMATION DISCLOSURE**

**STATEMENT**

SONNENSCHEIN NATH & ROSENTHAL LLP  
Customer No. 45969

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: M/S Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

4-21-06

SONNENSCHEIN NATH & ROSENTHAL LLP

Dated: 4-21-06 By: Joan Mazzeo  
Joan Mazzeo

M/S AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR § 1.56 and §1.97-§1.98, Applicants hereby submit patents, publications or other information enclosed herewith and listed on the enclosed Form PTO-1449 (modified) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose. As far as is known to the undersigned, this IDS is being filed before the mailing date of a first Office Action on the merits, or before a first Office Action after filing a Request for Continued Examination under §1.114.

A list of the patents and publications is set forth on the attached Form PTO-1449 (Modified). A copy of the items on PTO-1449 (Modified) is supplied herewith, except for issued United States Patents and published United States Patent Applications. A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is given only for the non-English language references.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention." MPEP § 609.

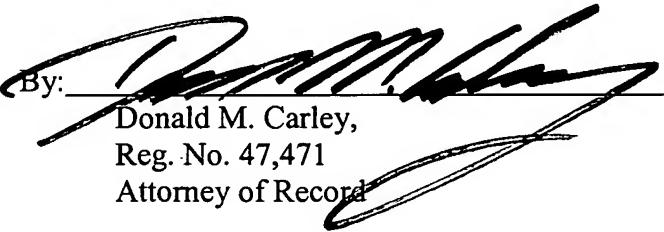
While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, submission of this IDS is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement complies with 37 CFR § 1.98 and MPEP § 609, and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge our Deposit Account No. 19-3140, for any fees required in connection with the filing of this Information Disclosure Statement. A **duplicate copy of this Notice is enclosed for this purpose.** In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

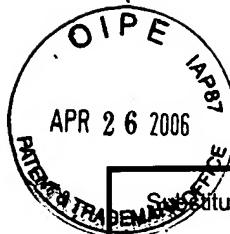
Dated: April 21, 2006

By: 

Donald M. Carley,  
Reg. No. 47,471  
Attorney of Record

SONNENSCHEIN NATH & ROSENTHAL LLP  
P.O. Box 061080  
Wacker Drive Station, Sears Tower  
Chicago, Illinois 60606-1080  
(415) 882-5003

cc: IP/T docket CH



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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<b>Complete if Known</b>				
		Application Number		10/682,644		
		Filing Date		October 8, 2003		
		First Named Inventor		Ray Soon Waldin Jr.		
		Group Art Unit		2132		
		Examiner Name		Gilberto Barron Jr.		
Sheet	1	of	1	Attorney Docket Number	44420423-8297	
<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number-Kind Code <sup>2</sup> ( <i>if known</i> )				
		US-6,654,787	11/25/2003	Aronson et al.		
		US-6,771,765	8/3/2004	Crowther et al.		
<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> ( <i>if known</i> )				
<b>OTHER ITEMS – NON PATENT LITERATURE DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T <sup>2</sup>
Examiner Signature				Date Considered		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file ( and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.